

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 are pending in this application. Claims 1-3 are amended and Claim 4 is added by the present Amendment.

Applicants respectfully submit that amendments to the claims and new claims find support in the application as originally filed at least in Applicant's Figures 2-5. Thus, no new matter is added.

In the outstanding Office Action dated March 9, 2009, Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 5,234,079 to Nomura; and Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nomura in view of U.S. Patent 5,782,319 to Woodruff et al. (herein "Woodruff").

Initially, Applicant and Applicant's representative gratefully acknowledge the courtesy of an interview with Examiner Chan and Supervisory Patent Examiner Benson on April 21, 2009. During the interview, rejections in the Office Action and differences between the references in the Office Action and the claimed invention were discussed. Comments and claim amendments discussed during the interview are reiterated below.

Applicant respectfully traverses the rejection of Claims 1 and 2 under 35 U.S.C. § 102(b) as anticipated by Nomura, with respect to amended Claim 1.

Amended Claim 1 is directed to a safety device for an elevator that includes, in part, a pair of pivot levers provided to a car guided by a guide rail, a plurality of braking members each provided to each of the pivot levers, a connecting member connected to the pivot levers, and an electromagnetic actuator. The electromagnetic actuator is configured to push the connecting member in a first direction to pivot the pivot levers in a braking direction to bring the braking members into contact with the guiderail. The electromagnetic actuator is also

configured to pull the connecting member in a second direction to pivot the pivot levers in a releasing direction to bring the braking members out of contact with the guide rail.

Applicant respectfully submits that Nomura fails to teach or suggest each of the features of amended Claim 1. For example, it is respectfully submitted that Nomura fails to teach or suggest a connecting member that is connected to pivot levers, and an electromagnetic actuator configured to push the connecting member in a first direction to pivot the pivot levers in a braking direction to bring the braking members into contact with the guiderail, and to pull the connecting member in a second direction to pivot the pivot levers in a releasing direction to bring the braking members out of contact with the guide rail.

Nomura Fig. 3 illustrates an electromagnetic brake 15 that includes a third lever 33, a fourth lever 34, and one end of each of the levers 33 and 34 has mounted thereon a third brake shoe 35 and a fourth brake shoe 36 which can be urged against rails 12.¹ According to Nomura, a bottom end of a plunger 39 may cause levers 33 and 34 to rotate against the action of springs 37 to move brake shoes 35 and 36 away from the rails when the plunger is moved upwardly. In other words, Nomura describes that the electromagnetic force of the electromagnetic coil may move a plunger to *release* the brake.

Furthermore, Nomura indicates that “in the brake unit (13), the first and the second brake shoes (25) and (26) are urged against the rails (12) by the spring forces of the first and the second spring (27) and (28).”² Additionally, the plunger of Nomura is not connected to the levers 33 and 34. In other words, according to Nomura, springs 37 and 38 apply force to push the brake shoes 25 and 26 against the rails. Thus, in light of the absence of a connection between the plunger and the levers, and the use of springs to urge the brake shoes against the rails, it is not possible for the electromagnetic brake driven plunger 39 of Nomura to “push” a

¹ Nomura at column 3, lines 23-30 and Fig. 3.

² Nomura at column 3, lines 45-49.

connecting member in a first direction, and also to “pull” a connecting member in a second direction. Thus, Nomura does not teach or suggest an electromagnetic actuator that pushes a connecting member to pivot pivot levers in a braking direction and also pulls the connecting member to pivot the pivot levers in a releasing direction.

Accordingly, as discussed during the interview, Nomura fails to teach or suggest “an electromagnetic actuator configured to push the connecting member in a first direction to pivot the pivot levers in a braking direction to bring the braking members into contact with the guide rail and to pull the connecting member in a second direction to pivot the pivot levers in a releasing direction to bring the braking members out of contact with the guide rail,” as recited in Claim 1.

Accordingly, it is respectfully requested the rejection of Claims 1 and 2 be withdrawn.

Furthermore, Applicant respectfully traverses the rejection of Claim 3 under 35 U.S.C. § 103(a) as unpatentable over Nomura and Woodruff.

Claim 3 depends from Claim 1, which as discussed above is believed to patentably define over Nomura. Furthermore, it is respectfully submitted that Woodruff fails to teach or suggest the claim features lacking in the disclosure of Nomura. Accordingly, it is respectfully requested the rejection of Claim 3 also be withdrawn.

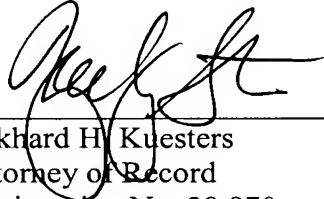
Claim 4 is added to recite an additional features of the invention which is also not disclosed or suggested by the references in the Office Action.

Accordingly, Applicant respectfully submits that independent Claim 1 and claims depending therefrom are allowable.

Consequently, in light of the above discussion and in view of the present amendment this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Zachary S. Stern
Registration No. 54,719